

07-19-02

1653 Rep  
SEQ



Express Mail Label No. EL 933049160 US  
Attorney Docket No. 57109 (71699)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

JUL 24 2002

TECH CENTER 1600/2900

APPLICANT(S) S. Denmeade, et al.

EXAMINER: S. Liu

U.S.S.N.: 09/627,600

GROUP: 1653

FILED (U.S.): July 28, 2000

Conf. No. 3631

FOR: ACTIVATION OF PEPTIDE PRODRUGS BY (HK2)

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BOX SEQUENCE

Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

The following is in response to the Notice to Comply with Requirements for  
Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence  
Disclosures, mailed July 3, 2002, in the above-referenced application.

Enclosed herewith for filing in the subject application are the following:

1. Paper Copy of Sequence Listing previously submitted;
2. New Computer Readable Form (CRF) of Sequence Listing;
3. Copy of Notice To Comply With Requirements For Patent Applications  
Containing Nucleotide Sequence And/Or Amino Acids Sequence Disclosures;
4. Copy of Error Report indicating unreadable disc;
5. Amendment directing entry of Paper Copy of Sequence Listing into specification  
[included in this paper];
6. Statement Accompanying Submission Of Sequence Listing Under 37 C.F.R. §  
1.821(g) (included in this paper);
7. Associate Power of Attorney; and
8. Change of Correspondence Address.

Attorney Docket No. 57109 (71699)  
U.S.S.N. 09/627,600  
Filed (U.S.): July 28, 2000  
Page 2 of 2

**AMENDMENT DIRECTING ENTRY OF SEQUENCE LISTING**

At the last page of the specification, please enter the attached paper copy of the Sequence Listing (25 pages) and number the pages as appropriate.

**STATEMENT ACCOMPANYING SUBMISSION OF SEQUENCE LISTING**

Provided herewith is a Paper Copy of a Sequence Listing for the nucleotide and/or amino acid sequence(s) in this application. Each Sequence has been assigned a separate identifier as required in 37 C.F.R. § 1.821(c) and 37 C.F.R. §§ 1.822 and 1.823. An amendment directing entry of the Paper Copy of the Sequence Listing into the specification is provided above.

Applicants further provide a Computer Readable Form (CRF) corresponding to the Paper Copy of the Sequence Listing provided herewith. Pursuant to 37 C.F.R. § 1.821(g), Applicants' agent hereby states that the CRF corresponds exactly to the Paper Copy of the Sequence Listing provided herewith. Applicants' agent further hereby states that the contents of the Paper Copy of the Sequence Listing and CRF do not go beyond the disclosure in the Application as filed and do not introduce new matter.

If for any reason, the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Date:

July 18, 2002

Respectfully submitted,

Dianne M. Rees  
Dianne M. Rees, Ph.D.  
(Reg. No. 45,281)  
EDWARDS & ANGELL, LLP  
P.O. Box 9169  
Boston, MA 02209

Telephone: 617-439-4444  
Customer No. 21874  
BOS2\_307161.1



UNITED STATES PATENT AND TRADEMARK OFFICE

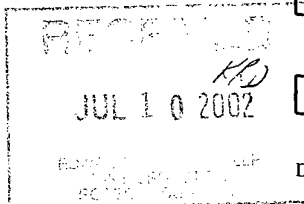
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,600	07/28/2000	Samuel R. Denmeade	07265-191001	3631

7590

07/03/2002

Peter Corless  
EDWARD & ANGELL, LLP  
101 Federal Street  
Boston, MA 02110



EXAMINER	
LIU, SAMUEL W	
ART UNIT	PAPER NUMBER

1653

DATE MAILED: 07/03/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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*Sequence Listing*  
Edwards & Angell LLP  
Dike, Bronstein, Roberts & Cushman  
101 Federal St. Boston, MA 02110  
Date Rec'd 7/10/02  
Docketed For Jul 20 - Aug 3, 2002  
By RD  
Approved \_\_\_\_\_

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## Notice to Comply

Application No.	Applicant(s)	
09627600	Denmeade, S. R. et al.	
Examiner	Art Unit	
Samuel Wei Liu	1653	

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: The disk is damaged see the attached CRF Problem Report Form.

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NO. 09627600	FILING DATE JUL 18 2002	FIRST NAMED INVENTOR / Denmeade, S. R. et al PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. 07265-191001
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EXAMINER
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Samuel Wei Liu

ART UNIT	PAPER
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1653

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JUL 24 2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Commissioner of Patents

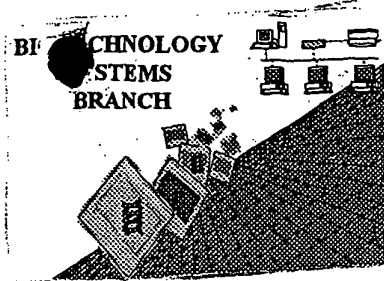
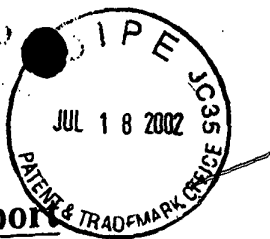
This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the one month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Smauel Wei liu at 703-306-3483.

*Christopher S. F. Low*  
CHRISTOPHER S. F. LOW  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

# CRF Problem Report



TECH CENTER 1600/2900

JUL 24 2002

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The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/627,600  
Filing Date: 7/28/2000  
Date Processed by STIC: 3/6/2002

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MAR 22 2002

TECH CENTER 1600/2900

1653

STIC Contact: Mark Spencer, 703-308-4212

## Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002